P33

App. F. IX-4 | **1932** | **File No.** 189-32

Previous References (PoC) | **Serial Nos.** 1 & 2

Later References

PRESERVED

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2 to 2.

Part B for August-1933.

SUBJECT.

Introduction of the "Abeyance System" for the reclamation of the Criminal Tribes.

2) To

The Dy. of Police.
" D. M's. of Dists
" Compiler, Mys. Gazette.

No. P 369-77 of 25-7-33.

Passes orders on the above.

M. Abdul Aziz
28. 8. 33.

Section 10(a) 7(b) of C.T.

eneral and Revenue Secretariat | PD File No. 189 of 1932 | [App. F. II

Serial No.

From

The D. Cr of Police

Letter no. C-619/C.1-D/32-33 dated 24/28.6.
forwarding for approval, a circular which
proposed to be issued for introducing what
called "The Allowance System" in regard to the
administration of section 10 (a) 2(b) of the Crim
Tribes Regulation with a view to reclaim these
members.

The System purports to give an in
for those C.T. members who are considered
tractable, to abandon their criminal pro
altogether, and a source of emulation for
less tractable ones to reform themselves

The method of working the system
to suspend the operation of the Section
(b) (reporting during nights or at fix
intervals) in the case of those who
begin reporting themselves regularly
over four months.

The D.S.Ps are required to
the orders of the Dist Magte in suspending the
reporting of the C.T. members on obtain
information from the Inspectors & Sub-ins
as to the particular members who are e
for the concession

Under rule 13 of the Rules u
the C.T. Regln the Dist Magtes ca
suspend the operation of Section 10 (a
by exempting. these persons (Page 74
Police manual Vol II)

NOTE—Contn. Sheet.

Introduction of Abeyance System under Section 10(a) & (b) of C.T. Regln.

(D) File No. 189 of 1932

General and Revenue Secretariat

It is stated that the system has given beneficial results in Madras where it is being tried.

The circular may perhaps be approved.

24/5/33

The circular may be approved. It will remove some of the unnecessary hardships to which some of the C.T. members are put to by the indiscriminate use of the Sections requiring them to report themselves. The "abeyance system" will relax the restrictions on such of the members whose conduct has been satisfactory.

Chief Secretary)

St Menon

RS 15/9/33

Papers 17/7/33

RS 17/7/33

Draft order is submitted for approval.

18/7/1933

18/7/33

OFFICE OF THE FIRST MEMBER OF COUNCIL No. 562

TYPING SECTION 20. JUL. 1933 GENL & REV SECT

Allegiance System — Criminal Tribe Members

General and Revenue Secretariat

P. D. File No. 189 of 1932

[App. F. III—2

Serial No.	
	G.O.No. P 869 - 77 dated 25.7.33 sanctioning the circular proposed to be issued by the D. O. Office for introducing the "Allegiance System" for reclaiming the C. T. members.

~~Dear Sir~~

28/7/1933
Printed copy is placed in the file

B

28/7/1933

Sheet.

WD 70—GBPM

POLICE DEPARTMENT

Tel. Address "Police" "ALACRIS"
PHONE No. 298

Pol 189-32-1

Encls: Circular & forms.

When replying please quote No. C. 619/C1-8 32-33

OFFICE OF THE INSPECTOR GENERAL OF POLICE IN MYSORE.

Dated Bangalore, June 24, 1933 26

From

F. A. HAMILTON, Esq., C.I.E.,
Inspector-General of Police in Mysore,
BANGALORE.

To

CHIEF SECRETARY'S OFFICE 27 JUNE 1933

R. RANGA RAO, Esq., B.A., B.L.,
Chief Secretary to the Government
of His Highness the Maharaja of Mysore,
Bangalore.

Sir,

I have the honour to enclose herewith for favour of approval a copy of the Circular which it is proposed to issue in connection with the working of the Criminal Tribes Regulation.

2. During my tours of inspection in the districts, I noticed that the provisions of the Regulation were not being enforced in the way they were intended. In almost all the districts, more persons than necessary had been brought on the Criminal Tribes Register. Section 12 of the Regulation which restricts movements of members to a specified area has been applied to an unnecessarily large number of persons and the provisions of Section 10 under which the habitual criminals could be brought under closer surveillance had not been properly enforced. In short, the working of the Regulation was so unsatisfactory that I had not only to issue orders to the Superintendents to undo what has been done but approach Government also to cancel and amend some of the notifications.

3. The main object in view is the reclamation of those criminal tribe members who have shown criminal propensities and this the Regulation proposes to do by a series of progressive restraints. An indiscriminate application of these provisions

is likely to produce more harm than good. In the Madras Presidency, the application of the provisions of the -- Criminal Tribes Act is regulated by what is known as the "ABEYANCE SYSTEM" and it is reported to have produced good results. It is proposed to issue the enclosed -- Circular to introduce the same system which is fully discussed in the Circular, in Mysore.

I have the honour to be,

Sir,

Your most obedient servant,

INSPECTOR GENERAL OF POLICE.

9/21/6

CIRCULAR

The provisions of the Criminal Tribes Regulation and the Rules issued are intended to be preventive and not punitive. This object is sought to be attained by a series of provisions which progressively restrain the freedom of movement of the individual whom it is proposed to wean from criminal pursuits. These provisions are (1) Section 3 by which persons of known criminal propensities are publicly declared to be a Criminal Tribe. (2) Section 4 by which one or more such persons may be required to register their names, marks of identification and finger-prints (3) Section 10 which may require any of them to report themselves at intervals or notify changes of residence or do both and (4) Section 12 which provides for the restriction of movements to a specified area or settlement in a place of residence. These provisions, one or more of them, have to be applied according to the nature of criminal propensities of the individuals concerned. This gradual and progressive scheme of the Regulation has to be emphasized because the prevailing impression appears to be that no sooner a class of persons is declared to be a Criminal Tribe, every successive restraint should at once be applied to all of them.

Another point that has to be remembered is that these restraints in themselves may not help to achieve the object in view. Experience has shown that the wholesale and permanent application of these provisions has not only thrown more work on the police than it is possible to perform, but it has also made some criminal tribe members callous and cunning and driven them to abscond and lead a life of crime. Occassionally crimes are also committed

by reporting members between the hours of reporting and for want of satisfactory reporting centres, persons who commit crimes are probably being provided in some instances with alibis by incorrect records of reporting. Criminal tribe members should be prevented from committing crime by vigorously enforcing the provisions of the Regulation but at the same time it is equally important they should be made to realise and feel confident that by their good conduct they could earn the suspension or cancellation of the restrictions imposed on them. It is to create this wholesome feeling among them that what is known as the "Abeyance System" has been adopted in the Madras Presidency and the definite results reported to have been attained under this system make it desirable to adopt it here also.

The working of the System is as follows:-

Each District Superintendent of Police should obtain from the District Magistrate of his district permission to hold in abeyance from time to time the orders to report under Section 10 (1) (a). On receipt of such permission the Sub Inspectors concerned should be ordered to send up lists, in the Form A-1 appended, of criminal tribe members now reporting who have been regularly reporting for a period exceeding four months. Reports in reference to other criminal tribe members who have been reporting during a period less than four months should be sent ten days before the expiry of four months in each case.

After a careful scrutiny, the lists will be submitted by the Inspectors with their remarks to the District Superintendent of Police who will issue orders holding in abeyance the existing orders to report in the case of those members who are not considered quite intractable.

of Police. Orders passed by the District Superintendent of Police will be sent direct to the Sub Inspectors who will also be empowered to enforce orders to report on their own authority for a maximum period of ten days until the District Superintendent of Police's orders are received.

In order to ensure the full benefits of "The Abeyance System", it is essential, that criminal tribe members -- should not in particular be allowed to suffer owing to chance delays in the channels of correspondence which may delay the District Superintendent's orders on individual cases. The strictest attention must, therefore, be paid to the requirement that the cases of those criminal tribe members against whom orders under Section 10 (1) (a) have been enforced should be reported on ten days before the expiry of the period for which they have been ordered to report. Unless the Sub Inspector concerned has recommended a criminal tribe member for a further period of reporting, the criminal tribe member will be released from the necessity for reporting immediately on the expiry of the period for which Section 10 (1) (a) was ordered to be enforced against him, even if the District Superintendent's orders have not been received.

Sub Inspectors are also be empowered on their own authority to hold an order to report in abeyance for a maximum period of ten days pending receipt of the orders of the District Superintendent of Police in cases of conspicuous services rendered to the Police by a criminal tribe member or an obvious and marked attempt on the part of the latter to turn over a new leaf. The effect of this order is to give Sub Inspectors a certain amount of discretion and they must be careful to see that their recommendations are made with care.

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On receipt of these orders the Sub Inspectors will interview each criminal tribe member affected and will personally and strongly warn him or her that the order to report is being held in abeyance as a tentative measure and that if the slightest ground of suspicion arises against the particular member or if his or her conduct is in any way unsatisfactory, the order to report will be immediately brought into force again for a specified and possibly prolonged period. After this warning these members will be completely freed from reporting until further orders from the District Superintendent of Police are obtained in each case.

The Sub Inspectors should, however, keep in close touch with these Criminal Tribes members and if the slightest occasion arises, report to the District Superintendent of Police for orders for another spell of reporting against them. Higher officers should go into these matters carefully during their visits to Stations and satisfy themselves that Sub Inspectors are taking proper interest in this matter and devoting sufficient energy to it.

To work the Abeyance System properly, transfers from 'Abeyance' to 'Reporting' and vice versa must be looked into and effected promptly. A criminal tribe member under 'Abeyance' should be required to report immediately he begins to misuse the privilege and a man 'Reporting' whose conduct shows that he has reformed should be as promptly encouraged in his good ways by being brought under 'Abeyance'. Prompt action in reference to misconduct being of the greatest importance, Sub Inspectors will send their reports of misconduct to their Inspectors who will send them at once to the District Superintendent

If an Inspector so far disagrees with a Sub Inspector's recommendation as to consider that to release a criminal tribe member recommended by the Sub Inspector for exemption under the Abeyance System would be dangerous, he should send a memorandum to the Sub Inspector not to release the criminal tribe member pending the District Superintendent's orders and note that he has done so when forwarding the Sub Inspector's report with his own recommendation.

The good results of the Abeyance System very much depend upon the effective way in which the order to report is enforced. These orders, obtained from the District Magistrate under Section 10 (1) (a), should be of two types:

(a) Against Criminal Tribe members, who are believed or suspected to be committing crimes or to be known in association with active criminals, the order should be to report twice nightly.

(b) Other criminal tribe members who are believed only to be of a criminal tendency but who are not committing crimes for the present, should be ordered to report once weekly in the day-time.

Orders against the (a) type of criminal tribe members are to be held in abeyance except for specific periods prescribed in respect of bad conduct.

Orders against type (b), are to be enforced only in the exceptional case of suspicion of participation in crime or very strong suspicion of it and preliminary to obtaining (a) type orders (i.e. to report twice nightly) against the criminal tribe members concerned.

When criminal tribe members, orders against whom are held in abeyance, change their residence, orders changing their

places of reporting should be immediately obtained from the District Magistrate, even though they are not at the time actually reporting under Section 10 (1) (a).

The Police will serve on each criminal tribe member, whose abeyance order is suspended, a notice in the attached form B-1, in the manner prescribed for the service of summons under the Criminal Procedure Code.

A weekly report in the attached form C-1, will be sent by the District Superintendent of Police to the District Magistrate to enable the latter to retain control of the general position.

A quarterly list of criminal tribe members in Form D-1 should be submitted by the Sub Inspectors to the District Superintendent of Police through their Inspectors. This list should contain the names of all criminal tribe members both "Abeyance" and "Reporting" with the remarks of the Sub Inspector and Inspector. Proper scrutiny of these lists by the District Superintendents of Police is very essential.

Manuscript forms may be used for the present in working the Abeyance System.

It is of the utmost importance that the personal sheets of criminal tribe members should be kept continually up-to-date especially with regard to present conduct. These sheets must be brought up-to-date and kept up-to-date intelligently by Sub Inspectors themselves as a result of their personal enquiries and higher officers should satisfy themselves about the correct ness of these entries.

The registration of the members of notified tribes of criminal tendency is very far from complete. Inspectors will at once institute necessary enquiries and will be

held responsible that all unregistered members of notified tribes of criminal tendency in their taluks are brought on to the registers without delay. When an individual is recommended for registration he should also be recommended for orders to report under Section 10 (1) (a) and when such orders are received, they will be strictly enforced for a short period in each case. Ten days before the expiry of this period, the Sub Inspector concerned will report in Form A-1 to the District Superintendent of Police on the general conduct of the criminal tribe member during the period of reporting with a view to obtaining orders as to whether or not he or she may be freed from reporting. Ordinarily he should be freed.

A list of juveniles attaining the age for registration in each year will be prepared for each Station and despatched to reach the District Police Office before the 20th January of the year concerned.

Sub Inspectors should be scrupulously fair and careful before deciding against criminal tribe members. Wholesale prosecutions for petty breaches of the Regulation are most undesirable. In cases in which there is reason to believe that breaches of the Criminal Tribes Regulation or Rules were committed for purposes of crime and in cases of persistent defiance of orders under Section 10 (1) (a) of the Regulation, prosecutions should be instituted at once by the Sub Inspectors on their own authority. The sanction of the District Superintendent of Police should be obtained before prosecutions are launched in other cases.

The attention of all officers is drawn to Section 24

and 25 of the Criminal Tribes Regulation. The former applies to every member of notified criminal tribe whether registered or not and the latter only to registered criminal tribe members. These sections should invariably be made use of when circumstances call for their application.

INSPECTOR-GENERAL OF POLICE.

9/2/46.

MSM.

C.T.R. ABEYANCE REPORT FORM A-1.

Taluk

Station

	Name of tribe
	C.T. No.
	Name, father's name and village
	Date of service of order to report under section 10 (1) (a) now in force
	Date and section of last conviction and sentence
	Date and section of any offence in which suspected in past 4 months.
	Remarks on conduct whether or not considered quite intractable.
	Inspector's remarks
	D.S.P.'s Order.

Station House Officer.

C.T.R. CRIMINAL TRIBES REGULATION ABEYANCE SYSTEM.

FORM B-1.

District Tribe

C.I.D. Gang number if any.

Name (with aliases and nick-names).

Residence.

Father's / Husband's name with aliases.

Period for which District Magistrate's order under section 10 (i) (a) will be enforced.

Left thumb impression.

Certified that this notice has been translated and explained to the above Criminal Tribe Member.

Date

Signature and designation of Police Officer.

FORM C-1.

C.T.R.

CRIMINAL TRIBE MEMBERS RETURN FOR THE .....

..... DISTRICT FOR WEEK ENDING .....

Name of Tribe	Number of members registered in the district.	Number under orders to report once weekly under section 10 (1) (a) Criminal Tribes Regulation.	Number whose orders to report once weekly are held in abeyance.	Number under orders to report twice nightly under Section 10 (1) (a) or Section 12, Criminal Tribes Regulation.	Number whose orders to report twice nightly ~~nightly~~ are held in abeyance.

Date.

District Superintendent of Police

T.R. FORM D-1. 19

QUARTERLY LIST OF CRIMINAL TRIBE MEMBERS.

1 Taluk	2 Village	3 Tribe	4 Name and number of member	5 Under which type of District Magistrate's order Section 10 (1) (a), and date of service of order	6 Period of reporting ordered by the District Superintendent of Police and date of service of order if any.	7 Remarks on present conduct	8 Remarks of Taluk Inspector	9 Remarks of the Assistant Superintendent of Police	10 Order of District Superintendent of Police, if any.

Station

Station House Officer.

Date

G. R. S. App. F VI—G 2]

5

What is the minimum no of Copies you require, please?

KSR
21/7

16 Copies please
24/7/1933 The whole of the enclosure including the forms to be typed

16 Copies

Section Pol
File No. 189-32
Serial No. 2

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 25-7-1933.

Signed by Mr. C. S. J.

Read—

Lr no C 619/C.1.20/32-33 dated 24/26.6.33 from the I.G. of Police forwarding for approval, a circular which is proposed to be issued for introducing what is called "Allegiance System" in regard to the administration ~~Order thereon.—No~~ of section 10(a) of the Criminal tribes Regulation with a view to reclaim the Criminal tribes ~~members~~.

Order thereon No P369-77

The Allegiance System purports to give an incentive for those Criminal Tribe members

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, kannada part ?

Members

who are considered to be tractable to abandon their criminal propensities altogether and provide a source of emulation for less tractable members to reform themselves.

The method of working the system is to suspend the operation of the section 10(a) & (b) (reporting of the Criminal tribe members during night and at fixed intervals) in the case of those who have been reporting themselves regularly for over four months.

I trust consider that the proposed system will remove some of the unnecessary hardships to which some of the Criminal Tribe members are put to by the indiscriminate use of the sections requiring them to report themselves and that it will relax

List of Enclosure

Copied by

Examined by

WD 0254—GPB—10,000—22-8-32

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

17

Relax

the restrictions on such of the members whose conduct has been satisfactory.

The circular as appended to this order is approved.

For enclosing to Govt

9/7/83

To

The D. Trg Police

The Dist Magte of Bcb

Bg 18/7/1883

The compiler, Mysore Gazette for publication with a request to send 400 copies of this order to the D. Trg Police, 10 copies each to the Dist Magtes and 100 copies to this office.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read :—

Letter No.C.619/C.I.D./32-33, dated 24th/26th June 1933 from the Inspector General of Police forwarding for approval, a circular which is proposed to be issued for introducing what is called the "Abeyance System" in regard to the administration of the Criminal Tribes Regulation with a view to reclaim members of the Criminal Tribes.

Order No. P 369-77 Pol 189-32-2.

Dated, Bangalore the 21st July 1933.

Government consider that the proposed system will remove some of the unnecessary hardships to which some of the Criminal Tribes members are put to by the indiscrimnate use of the Sections requiring them to report themselves and that it will relax the restrictions on such of the members whose conduct has been satisfactory.

The Circular as appended to this order is approved.

for Chief Secretary to Government.

To

The Inspector General of Police in Mysore.

The District Magistrates of Districts.

The Compiler, Mysore Gazette, for publication with a request to send 400 copies of the order to the Inspector General of Police, 10 copies each to the District Magistrates and 100 copies to this office.

Agn/8

C I R C U L A R.

The provisions of the Criminal Tribes Regulation and the rules issued are intended to be preventive and not punitive. This object is sought to be attained by a series of provisions which progressively restrain the freedom of movement of the individual whom it is proposed to wean from criminal ~~xxkkxx~~ pursuits. These provisions are (1) Section 3 by which persons of known criminal propensities are publicly declared to be a Criminal Tribe. (2) Section 4 by which one or more such persons may be required to register their names, marks of identification and finger prints (3) Section 10 which may require any of them to report themselves at intervals or notify changes of residence or do both and (4) Section 12 which provides for the restriction of movements to a specified area or settlement in a place of residence. These provisions, one or more of them, have to be applied according to the nature of criminal propensities of the individuals concerned. This gradual and progressive scheme of the Regulation has to be emphasized because the prevailing impression appears to be that no sooner a class of persons is declared to be a Criminal Tribe, every successive restraint should at once be applied to all of them.

Another point that has to be remembered is that these restraints in themselves may not help to achieve the object in view. Experience has shown that the wholesale and permanent application of these provisions has not only thrown more work on the police than it is possible to perform, but it has also made some criminal tribe members callous and cunning and driven them to abscond and lead a life of crime. Occasionally crimes are also committed by reporting members between the hours of reporting and for want of satisfactory reporting centres, persons who commit crimes are probably being provided in some instances with alibis by incorrect records of reporting. Criminal

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Criminal tribe members should be prevented from committing crime by vigorously enforcing the provisions of the Regulation but at the same time it is equally important they should be made to realise and feel confident that by their good conduct they could earn the suspension or cancellation of the restrictions imposed on them. It is to create this wholesome feeling among them that what is known as the "Abeyance System" has been adopted in the Madras Presidency and the definite results reported to have been attained under this system make it desirable to adopt it here also.

The working of the System is as follows:-

Each District Superintendent of Police should obtain from the District Magistrate of his district permission to hold in abeyance from time to time the orders to report under Section 10(1)(a). On receipt of such permission the Sub Inspectors concerned should be ordered to send up lists, in the form A-1 appended, of criminal tribe members now reporting who have been regularly reporting for a period exceeding four months. Reports in reference to other criminal tribe members who have been reporting during a period less than four months should be sent ten days before the expiry of four months in each case.

After a careful scrutiny, the lists should be submitted by the Inspector with their remarks to the District Superintendent of Police who will issue orders holding in abeyance the existing orders to report in the case of those members who are not considered quite intractable.

On receipt of these orders the Sub Inspectors will interview each criminal tribe member affected and will personally and strongly warn him or her that the order to report is being held in abeyance as a tentative measure and that if the slightest ground of suspicion arises against the particular member or if his or her conduct is in any way unsatisfactory, the order to report will be immediately brought into force again for a specified and possibly

will be completely freed from reporting until further orders from the District Superintendent of Police are obtained in each case.

The Sub Inspector should, however, keep in close touch with these Criminal Tribes members and if the slightest occasion arises, report to the District Superintendent of Police for orders for another spell of reporting against them. Higher officers should go into these matters carefully during their visits to stations and satisfy themselves that Sub Inspectors are taking proper interest in this matter and devoting sufficient energy to it.

To work the Abeyance System properly, transfers from 'Abeyance' to 'Reporting' and vice versa must be looked into and effected promptly. A criminal tribe member under 'Abeyance' should be required to report immediately he begins to misuse the privilege and a man 'Reporting' whose conduct shows that he has reformed should be as promptly encouraged in his good ways by being brought under 'Abeyance'. Prompt action in preference to misconduct being of the greatest importance, Sub Inspectors will send their reports of misconduct to their Inspectors who will send them at once to the District Superintendent of Police. Orders passed by the District Superintendent of Police will be sent direct to the Sub Inspectors who will also be empowered to enforce orders to report on their own authority for a maximum period of ten days until the District Superintendent of Police's orders are received.

In order to ensure the full benefits of "The Abeyance System", it is essential, that Criminal Tribes Members should not in particular be allowed to suffer owing to chance delays in the channels of correspondence which may delay the District Superintendent of Police's orders on individual cases. The strictest attention must, therefore, be paid to the requirement that the cases of those criminal/ tribe/ members against whom orders under Section 10(1)(a) have been enforced should be reported on 10 days before the expiry of the period for

22

for which they have been ordered to report. Unless the Sub Inspector concerned has recommended a Criminal tribe member for a further period of reporting, the criminal tribe member will be released from the necessity for reporting immediately on the expiry of the period for which Section 10(1)(a) was ordered to be enforced against him, even if the District Superintendent's orders have not been received.

Sub Inspectors are also to be empowered on their own authority to hold an order to report in abeyance for a maximum period of ten days pending receipt of the orders of the District Superintendent of Police in cases of conspicuous services rendered to the Police by a Criminal Tribe member or an obvious and marked attempt on the part of the latter to turn over a new leaf. The effect of this order is to give Sub Inspectors a certain amount of discretion and they must be careful to see that their recommendations are made with care.

If an Inspector so far disagrees with a Sub Inspector's recommendation as to consider that to release a criminal tribe member recommended by the Sub Inspector for exemption under the Abeyance System would be dangerous, he should send a memorandum to the Sub Inspector not to release the Criminal tribe member pending the District Superintendent's orders and note that he has done so when forwarding the Sub Inspector's report with his own recommendation.

The good results of the Abeyance System very much depend upon the effective way in which the order to report is enforced. These orders, obtained from the District Magistrate under Section 10(1)(a) should be of two types:

(a) Against Criminal Tribe members, who are believed or suspected to be committing crimes or to be known in association with active criminals, the order should be to report twice nightly.

(b) Other criminal tribe members who are believed only to be of a criminal tendency but who are not committing crimes for the present, should be ordered to report once weekly in the day time.

23

Orders against the (a) type of criminal tribe members are to be held in abeyance except for specific periods prescribed in respect of bad conduct.

Orders against type(b), are to be enforced only in the exceptional case of suspicion of participation in crime or very strong suspicion of it and preliminary to obtaining (a) type orders (i.e., to report twice nightly) against the criminal tribe members concerned.

When criminal tribe members, orders against whom are held in abeyance, change their residence, orders changing their places of reporting should be immediately obtained from the District Magistrate, even though they are not at the time actually reporting under section 10(1)(a).

The Police will serve on each criminal tribe member, whose abeyance order is suspended, a notice in the attached Ka form B-1 in the manner prescribed for the service of summons under the Criminal Procedure Code.

A weekly report in the attached form C-1, will be sent by the District Superintendent of Police to the District Magistrate to enable the latter to retain control of the general position.

A quarterly list of criminal tribe members in Form D-1 should be submitted by the Sub Inspectors to the District Superintendent of Police through their Inspectors. This list should contain the names of all criminal tribe members both "Abeyance" and "Reporting" with the remarks of the Sub Inspector and Inspector. Proper scrutiny of these lists by the District Superintendents of Police is very essential.

Manuscript forms may be used for the present in working the Abeyance system.

It is of the utmost importance that the personal sheets of criminal tribe members should be kept continually up-to-date especially with regard to present conduct. These sheets must be brought up-to-date intelligently by

+ kept up to date

by sub Inspectors themselves as a result of their personal enquiries and higher officers should satisfy themselves about the correctness of those entries.

The registration of the members of notified tribes of criminal tendency is very far from complete. Inspectors will at once institute necessary enquiries and will be held responsible that all unregistered members of notified tribes of criminal tendency in their taluks are brought on to the registers without delay. When an individual is recommended for registration he should also be recommended for myster to report under section 10 (A) (a) and when such orders are received, they will be strictly enforced for a short period in each case. Ten days before the expiry of this period, the sub Inspector concerned will report in detail to the District Superintendent of Police on the general conduct of the criminal tribe member during the period of reporting with a view to obtaining orders as to whether or not he or she may be freed from reporting. Ordinarily he should be freed.

List of juveniles attaining the age for registration in each year will be prepared for each station and despatched to reach the District Police Office before the 31st January of the year concerned.

Sub Inspectors should be scrupulously fair and careful before deciding against criminal tribe members. Malicious prosecutions for petty breaches of the regulation are most undesirable. In cases in which there is reason to believe that breaches of the criminal tribes regulation or rules were deliberate and persistent or which did not fall within the regulation, prosecutions should be instituted at once by the Sub Inspectors on their own authority. The sanction of the District Superintendent of Police should be obtained before prosecutions are launched in other cases.

25

The attention of all officers is drawn to Section 24 and 25 of the Criminal Tribes Regulation. The former applies to every member of notified criminal tribe whether registered or not and the latter only to registered criminal tribe members. These sections should invariably be made use of when circumstances call for their application.

---

for Chief Secretary to Govt
6

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C.T.H. FORM C-1.

CRIMINAL TRIBE MEMBERS RETURN FOR THE .....

..... DISTRICT FOR WEEK ENDING .....

Name of tribe.	
Number of members registered in the district.	
Number under orders to report once weekly under section 10 (1) (a) Criminal Tribes Regulation.	
Number under whose orders to report once weekly are held in abeyance.	
Number under orders to report twice nightly under section 10 (1) (a) or Section 12, -- Criminal Tribes Regulation.	
Number whose orders to report twice nightly are held in abeyance.	

Date District Superintendent of Police.

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C.T.... FORM D-1. 27

QUARTERLY LIST OF CRIMINAL TRIBE MEMBERS.

1. Taluk.

2. Village.

3. Tribe

4. Name and number of Member.

5. Under which type of District Magistrate's order Section 10 (1) (a), and date of service of order.

6. Period of reporting ordered by the District Superintendent of Police and date of service of order if any. 2.

7. Remarks on present conduct.

8. Remarks of Taluk Inspector.

9. Remarks of the Assistant Superintendent of Police.

10. Order of District Superintendent of Police, if any.

13

Station

Date Station House Officer.

Government of his Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 369-77—Pol. 189-32-2, dated 21st—25th July 1933.

Reclamation of the Criminal Tribes.

Introducing the "Abeyance System" for the ——.

READ—

Letter No. C. 619—C. I. D.—32-33, dated 24—26th June 1933, from the Inspector-General of Police, forwarding for approval, a Circular which is proposed to be issued for introducing what is called the "Abeyance System" in regard to the administration of the Criminal Tribes Regulation with a view to reclaim members of the Criminal Tribes.

ORDER NO. P. 369-77—POL. 189-32-2, DATED BANGALORE, THE 21ST—25TH JULY 1933.

Government consider that the proposed system will remove some of the unnecessary hardships to which some of the criminal tribe members are put to by the indiscriminate use of the Sections requiring them to report themselves and that it will relax the restrictions on such of the members whose conduct has been satisfactory.

The Circular, as appended to this order, is approved.

R. RANGA RAO,
Chief Secretary to Government.

To—The Inspector-General of Police in Mysore.
The District Magistrates of Districts.
The Compiler, *Mysore Gazette.*

Exd.—C. K.

No. P. 369-77—Pol. 189-32-2, dated 21st—25th July 1933.

CIRCULAR.

The provisions of the Criminal Tribes Regulation and the Rules issued are intended to be preventive and not punitive. This object is sought to be attained by a series of provisions which progressively restrain the freedom of movement of the individual whom it is proposed to wean from criminal pursuits. These provisions are (1) Section 3 by which persons of known criminal propensities are publicly declared to be a criminal tribe, (2) Section 4 by which one or more such persons may be required to register their names, marks of identification and finger prints, (3) Section 10 which may require any of them to report themselves at intervals or notify changes of residence or do both, and (4) Section 12 which provides for the restriction of movements to a specified area or settlement in a place of residence. These provisions, one or more of them, have to be applied according to the nature of criminal propensities of the individuals concerned. This gradual and progressive scheme of the Regulation has to be emphasised because the prevailing impression appears to be that no sooner a class of persons is declared to be a criminal tribe, every successive restraint should at once be applied to all of them.

Another point that has to be remembered is that these restraints in themselves may not help to achieve the object in view. Experience has shown that the wholesale and permanent application of these provisions has not only thrown more work on the police than it is possible to perform, but it has also made some criminal tribe members callous and cunning and driven them to abscond and lead a life of crime. Occasionally, crimes are also committed by reporting members between the hours of reporting and for want of satisfactory reporting centres, persons who commit crimes are probably being provided in some instances with alibis by incorrect records of reporting. Criminal tribe members should be prevented from committing crime by vigorously enforcing the provisions of the Regulation, but at the same time, it is equally important they should be made to realise and feel confident that by their good conduct they could earn the suspension or cancellation of the restrictions imposed on them. It is to create this wholesome feeling among them that what is known as the "Abeyance System" has been adopted in the Madras Presidency and the definite results reported to have been attained under this system, make it desirable to adopt it here also.

The working of the system is as follows:—

Each District Superintendent of Police should obtain from the District Magistrate of his district, permission to hold in abeyance from time to time, the orders to report under Section 10 (*a*). On receipt of such permission, the Sub-Inspectors concerned should be ordered to send up lists, in the Form A-1 appended, of criminal tribe members now reporting who have been regularly reporting for a period exceeding four months. Reports in reference to other criminal tribe members who have been reporting during a period less than four months should be sent ten days before the expiry of four months in each case.

After a careful scrutiny, the lists should be submitted by the Inspector with their remarks to the District Superintendent of Police who will issue orders holding in abeyance the existing orders to report in the case of those members who are not considered quite intractable.

On receipt of these orders, the Sub-Inspectors will interview each criminal tribe member affected and will personally and strongly warn him or her that the order to report is being held in abeyance as a tentative measure and that if the slightest ground of suspicion arises against the particular member or if his or her conduct is in any way unsatisfactory, the order to report will be immediately brought into force again for a specified and possibly prolonged period. After this warning, these members will be completely freed from reporting until further orders from the District Superintendent of Police are obtained in each case.

The Sub-Inspector should, however, keep in close touch with these criminal tribe members and if the slightest occasion arises, report to the District Superintendent of Police for orders for another spell of reporting against them. Higher officers should go into these matters carefully during their visits to stations and satisfy themselves that Sub-Inspectors are taking proper interest in this matter and devoting sufficient energy to it.

To work the "Abeyance System" properly, transfers from 'Abeyance' to 'Reporting' and *vice versa* must be looked into and effected promptly. A criminal tribe member under 'Abeyance' should be required to report immediately he begins to misuse the privilege and a man 'Reporting' whose conduct shows that he has reformed should be as promptly encouraged in his good ways by being brought under 'Abeyance'. Prompt action in

preference to misconduct being of the greatest importance, Sub-Inspectors will send their reports of misconduct to their Inspectors who will send them at once to the District Superintendent of Police. Orders passed by the District Superintendent of Police, will be sent direct to the Sub-Inspectors who will also be empowered to enforce orders to report on their own authority for a maximum period of ten days until the District Superintendent of Police's orders are received.

In order to ensure the full benefits of the "Abeyance System," it is essential, that criminal tribe members should not in particular be allowed to suffer owing to chance delays in the channels of correspondence which may delay the District Superintendent of Police's orders on individual cases. The strictest attention must, therefore, be paid to the requirement that the cases of those criminal tribe members against whom orders under Section 10(*a*) have been enforced, should be reported on ten days before the expiry of the period for which they have been ordered to report. Unless the Sub-Inspector concerned has recommended a criminal tribe member for a further period of reporting, the criminal tribe member will be released from the necessity for reporting immediately on the expiry of the period for which Section 10(*a*) was ordered to be enforced against him, even if the District Superintendent's orders have not been received.

Sub-Inspectors are also be empowered on their own authority, to hold an order to report in abeyance for a maximum period of ten days pending receipt of the orders of the District Superintendent of Police in cases of conspicuous services rendered to the Police by a criminal tribe member or an obvious and marked attempt on the part of the latter to turn over a new leaf. The effect of this order is to give Sub-Inspectors a certain amount of discretion and they must be careful to see that their recommendations are made with care.

If an Inspector so far disagrees with a Sub-Inspector's recommendation as to consider that to release a criminal tribe member recommended by the Sub-Inspector for exemption under the "Abeyance System" would be dangerous, he should send a memorandum to the Sub-Inspector not to release the criminal tribe member pending the District Superintendent's orders and note that he has done so when forwarding the Sub-Inspector's report with his own recommendation.

The good results of the "Abeyance System" very much depend upon the effective way in which the order to report is enforced. These orders, obtained from the District Magistrate under Section 10(*a*) should be of two types :

(*a*) Against criminal tribe members, who are believed or suspected to be committing crimes or to be known in association with active criminals, the order should be to report twice nightly.

(*b*) Other criminal tribe members who are believed only to be of a criminal tendency but who are not committing crimes for the present, should be ordered to report once weekly in the day time.

Orders against the (*a*) type of criminal tribe members are to be held in abeyance except for specific periods prescribed in respect of bad conduct.

Orders against type (*b*) are to be enforced only in the exceptional case of suspicion of participation in crime or very strong suspicion of it and preliminary to obtaining (*a*) type orders (*i.e.*, to report twice nightly) against the criminal tribe members concerned.

When criminal tribe members, orders against whom are held in abeyance, change their residence, orders changing their places of reporting should be immediately obtained from the District Magistrate, even though they are not at the time actually reporting under Section 10 (*a*).

The police will serve on each criminal tribe member, whose abeyance order is suspended, a notice in the attached Form B-1 in the manner prescribed for the service of summons under the Criminal Procedure Code.

A weekly report in the attached Form C-1, will be sent by the District Superintendent of Police to the District Magistrate to enable the latter to retain control of the general position.

A quarterly list of criminal tribe members in Form D-1 should be submitted by the Sub-Inspectors to the District Superintendent of Police through their Inspectors. This list should contain the names of all criminal tribe members both "Abeyance" and "Reporting" with the remarks of the Sub-Inspector and Inspector. Proper scrutiny of these lists by the District Superintendents of Police is very essential.

Manuscript forms may be used for the present in working the "Abeyance System."

It is of the utmost importance that the personal sheets of criminal tribe members should be kept continually up-to-date especially with regard to present conduct. These sheets must be brought up-to-date and kept up to-date intelligently by Sub-Inspectors

themselves as a result of their personal enquiries and higher officers should satisfy themselves about the correctness of these entries.

The registration of the members of notified tribes of criminal tendency is very far from complete. Inspectors will at once institute necessary enquiries and will be held responsible that all unregistered members of notified tribes of criminal tendency in their taluks are brought on to the registers without delay. When an individual is recommended for registration, he should also be recommended for orders to report under Section 10 (*a*) and when such orders are received, they will be strictly enforced for a short period in each case. Ten days before the expiry of this period, the Sub-Inspector concerned will report in Form A-1 to the District Superintendent of Police, on the general conduct of the criminal tribe member during the period of reporting with a view to obtaining orders as to whether or not, he or she may be freed from reporting. Ordinarily, he should be freed. A list of juveniles, attaining the age for registration in each year will be prepared for each station and despatched to reach the District Police Office before the 20th January of the year concerned.

Sub-Inspectors should be scrupulously fair and careful before deciding against criminal tribe members. Wholesale prosecutions for petty breaches of the Regulation are most undesirable. In cases in which there is reason to believe that breaches of the Criminal Tribes Regulation or Rules were committed for purposes of crime and in cases of persistent defiance of orders under section 10 (*a*) of the regulation, prosecutions should be instituted at once by the Sub-Inspectors on their own authority. The sanction of the District Superintendent of Police should be obtained before prosecutions are launched in other cases.

The attention of all officers is drawn to Sections 24 and 25 of the Criminal Tribes Regulation. The former applies to every member of notified criminal tribe, whether registered or not, and the latter only to registered criminal tribe members. These sections should invariably be made use of when circumstances call for their application.

C. T. R.—FORM A-1.

CRIMINAL TRIBES REGULATION ABEYANCE REPORT.

Taluk..... .....Station.....

Name of tribe	
Criminal tribe number	
Name, father's name and village ..	
Date of service of order to report under Section 10(*a*) now in force.	
Date and section of last conviction and sentence.	
Date and section of any offence in which suspected in past four months.	
Remarks on conduct whether or not considered quite intractable.	
Inspector's remarks	
District Superintendent of Police's Order ..	

Date.....

Station House Officer.

No. P. 369-77—Pol. 189-32-2, dated 21st—25th July 1933.

C. T. R.—FORM D-1.

QUARTERLY LIST OF CRIMINAL TRIBE MEMBERS.

1. Taluk	
2. Village	
3. Tribe	
4. Name and number of member ...	
5. Under which type of District Magistrate's order Section 10(*a*), and date of service of order.	
6. Period of reporting ordered by the District Superintendent of Police and date of service of order, if any.	
7. Remarks on present conduct ...	
8. Remarks of Taluk Inspector ...	
9. Remarks of the Assistant Superintendent of Police.	
10. Order of District Superintendent of Police, if any.	

Station .....

Date.....

Station House Officer.

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